

City of Johns Creek Police Department

<i>Subject:</i> Media Relations	<i>Number:</i> 03-16
<i>Reference:</i>	<i>Amends:</i>
<i>Effective:</i> 01/10	<i>Review Date:</i> Annually
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PURPOSE:

The press or news media exercises a genuine interest in the public good and greatly influences opinion, and serves the public by supplying information, stimulating thought, and providing a medium for expression. Crime, its results, and the efforts to combat it are matters of continuing public concern. The Department is regularly involved in events at which members of the news media are present and gathering information. The purpose of this procedure is to establish guidelines for the release and dissemination of public information.

DEFINITIONS:

Public Information: Information that may be of interest to the general public, or events involving the Department or other newsworthy information not legally protected, does not duly interfere with the mission of the Department, infringe upon the rights of defendants or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.

News Media Representatives: Those persons who are directly employed by agencies of the electronic or print media such as radio, television, and newspapers. Free-lance workers in this field are to be regarded as other members of the general public unless otherwise designated by the Chief of Police.

City Communications Manager: Representative from the City of Johns Creek who is assigned to the police department to serve at the discretion of the Chief of Police in matters of media releases, publicity announcements, news articles, special projects and updating the police department's website.

POLICY (03-16):

The Department will cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the Department. In a spirit of cooperation with the media the Department will accept and, when practical, solicit ideas and suggestions from media representatives in the formulation of future policy and procedures. However, certain information may be withheld from the news media to protect the constitutional rights of an accused, to avoid interfering with a Department investigation, or because it is legally privileged.

Further, the Department recognizes that, although expert opinions may take longer to develop, they are of much greater value to the public health and welfare than remarks made prematurely by inexperienced personnel. Therefore, employees are encouraged to limit remarks which may exceed their capacity, knowledge and/or expertise.

PROCEDURES:

Responsibility for the Release of Information (03-16-01)

- A. When an event being investigated is of a spectacular or unusual nature and stimulates general community interest, the news media shall be notified at the discretion of the Chief of Police or his/her designated public information officer or designated city communications manager.
- B. When an incident raises questions about Department policy or its interpretation, or statements are requested which may adversely reflect on the Department's reputation, the release of information shall **only** be made at the discretion of the Chief of Police.
- C. Release of information regarding an on-going investigation shall only be made at the discretion of the case investigator. The case investigator shall update the public information officer, Chief of Police periodically on the status of the investigation, if applicable.
- D. In other cases, information that is not prohibited may be released by the ranking officer present.

Media Relations (03-16-02)

An informed media is basic to our nation's freedom. The policy of this department is one consistent with that statement.

- A. Members of the news media acting within the realm of their profession and upon presentation of their credentials will be treated without prejudice by members of this Department.
- B. When members of the media arrive upon a scene, they will be referred to the Shift Commander if he/she is on the scene, to the supervisor in charge of the incident, or to the incident commander.
- C. Officers and supervisors will consider the safety and welfare of media persons as well as the importance of maintaining the integrity of the scene.
- D. Officers and employees of the Department **shall not** make statements at public gatherings concerning the plans, policies, or affairs of the administration of the Department unless directed by the Chief of Police.
- E. Responsibility for publicity for the Department shall be delegated by the Chief of Police or his/her designee or city communications manager.

Media Activities at the Scene of the Crime or Other Event (03-16-03)

- A. The media's primary responsibility is to report the news by obtaining information and photographs of newsworthy incidents. In order to do their jobs, reporters must be present at emergency scenes. An officer sharing these circumstances with a reporter should not obstruct him/her in the performance of his/her duty. However, members of the news media are neither implicitly nor expressly exempt from the requirements of any municipal, state, or federal statutes.
- B. Personnel of this Department will cooperate whenever possible with the legitimate requests of the news media by referring them to the Shift Commander, his/her designee, the supervisor in charge of the scene or event or the incident commander. Media persons will not be allowed to wander outside an assigned area or across the police line unless attended by the Shift Commander or other persons so charged by the Shift Commander or the supervisor in charge of the scene or event.
- C. Members of the news media, including the photographers and cameramen, shall not be allowed access to private property if the owner of the property or the owner's agent requests they be excluded.
- D. Members of the media shall not be allowed access to any area whereby such access would obviously disrupt tactical plans or police operations or would jeopardize the safety of any member of the media, the Department, or any citizen.
- E. Reporters may photograph or report anything they observe when legally present at any emergency scene. When publication of this coverage would interfere with an official investigation or place a victim, suspect, or others in jeopardy, the withholding of publication is based on decisions of a cooperative press, *not censorship* by the

Department. Under these circumstances, officers should advise newsmen or their superiors of the possible consequence of publication. However, officers shall not interfere with a reporter's activities as long as the reporter's actions remain within the confines of the law.

The Media Release (03-16-04)

- A. All verbal releases or on camera interviews will be conducted in a professional manner representative of this Department and at the discretion of the Chief of Police.
- B. The Chief of Police or his/her designee or City Communications Manager will process the press release and make it available to the media as soon as possible after an incident. The officer assigned to the case and his/her immediate supervisor will be contacted before the information is released to the media. **Only known facts** and not conjecture shall be released to the media, and only in line with existing Department policy. Care must be taken to ensure any information released to the media does not hamper the investigation.
- C. Releases over the phone may be done by the supervisor assigned or through the communications manager when they have been provided a formal written statement to relate. If there is doubt the person calling is a member of the media, the person giving the media release may return the call to the media to identify the person requesting the information.
- D. Written summaries or notification of verbal releases will be forwarded to the Chief of Police and City Communications Manager. All members of the media will be given the same information and they may call for the release provided.

Incident Information (03-16-05)

Information normally released on arrested persons will include:

- A. Incident type and originating source of information for the action (either citizen complaint, officer initiated, warrant or indictment).
- B. The immediate circumstances surrounding the arrest including time, place, any acts of resistance on the part of the arrestee, and a description of any items seized.
- C. Date and time of incident.
- D. Address where the incident occurred (except as outlined in "Information Not Released).
- E. The name, age, residence, sex, race, employment, and marital status of the accused (except as outlined in "Information Not Released").
- F. Type of injury.
- G. Force or type of weapon used (for example, hand gun, knife, wrecking bar, etc.).
- H. Amount of reported damage or loss.
- I. Hospital/medical examiner.
- J. Case status (open or closed), and the length of the investigation.
- K. Investigating officer.
- L. All public media requests to review or purchase Department records, other than Internal Affairs records, will be processed by the Records Division. Internal Affairs records will only be released through the Chief's office. All records involving on-going investigations will only be released **only** with the expressed permission of the case investigator.

Arrested Persons (03-16-06)

Information normally released on arrested persons will include:

- A. Name, age, address, occupation (except as outlined in "Information Not Released).
- B. Nature of the charge.

- C. Circumstances surrounding the arrest, including time, place, resistance, pursuit and weapons used.
- D. Identity of the arresting officer.
- E. Scheduled hearing and/or court dates.
- F. Amount of bail (if listed).

Victims (03-16-07)

- A. If a victim is killed or seriously injured as a result of the action, his/her names or address cannot be released pending notification of next of kin;
- B. If the crime has been committed against a person, the following information may be released:
 - 1. physical status of the victim (e.g., hospitalized with a gunshot wound)
 - 2. relationship of suspect to the victim
 - 3. sex; age; and race of the victim
- C. If a property crime has been committed against a person, the victim may be identified without his/her address.
- D. If a property crime has been committed against a business, an address may be included.

Other Types of Information (03-16-08)

The following information will normally be released to the media:

- A. Name, age, address and descriptions of persons for who arrest warrants have been issued, or who are being actively sought for arrest, unless such release would endanger chances of apprehension.
- B. Information on motor vehicle accidents when the investigation is complete, or when the investigation will not be impeded by questioning the investigating officer.
- C. Information on non-criminal incidents, including fires, accidents (other than vehicular), drownings, missing persons, etc. (except as outlined in "Information Not Released.")
- D. Criminal history record information or information on adjudicated cases will be obtained from the courts or the Georgia Crime Information Center (GCIC). It is permissible to confirm certain matters of criminal record information upon specific inquiry. Thus, if a question is raised: "*Was X arrested by your agency on date?*" and this can be confirmed or denied by looking at the original record of entry, then it is permissible to respond to the inquiry.

Information Not To Be Released (03-16-09)

Information that will not be released on arrested persons will include:

- A. Information classified as confidential by law or judicial decision.
- B. Names or addresses of witnesses involved in criminal incidents.
- C. Names, addresses, or photographs of persons wanted for crimes *unless* help from the news media is desired in an effort to locate them.
- D. Names and addresses of sex offense victims and the exact location of the offense if it is a residence or business address. The victim's sex and age will be released and a general description of the City area where the offense occurred.
- E. Identity of death victims until all efforts to notify the next of kin have been exhausted.
- F. Identity of persons legally defined as juveniles who have been arrested or are under investigation, unless as otherwise specified permissible under Georgia code.
- G. Information concerning child abuse offenses as defined according to Georgia code.
- H. Information regarding evidence prior to trial, including:
 - 1. The contents of any statement, admission or confession or the fact that an admission or confession has been made.
 - 2. Opinions concerning character, guilt or innocence of the arrested person.
 - 3. Opinions concerning evidence or arguments in the case.

4. Statements concerning anticipated testimony or the truthfulness of prospective witnesses.
5. Fingerprints, polygraph, fire arms identification, or ballistics.
6. Precise description of evidence seized or discovered during the investigation.

Photographing Arrestees and Defendants (03-16-10)

The news media has the right to photograph anything in the public, including police activities. Employees of the Department will neither encourage nor discourage the media from photographing or televising defendants when they are in public places, nor shall employees of the Department position or pose the accused for the benefit of the media.

Releases When Other Agencies Involved (03-16-11)

When other agencies mutually respond and are involved in a particular incident, and this Department is the primary agency of responsibility, the Chief of Police or his/her designee or City Communications Manager shall be responsible for the coordination and release of all media information. The records unit will ensure all requested documents, records, incident reports etc are provided to the public service agency involved in the mutual effort in a timely manner.

If this Department is assisting another agency, their spokesperson should coordinate media releases.

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